

CENTRAL AMERICA/ * * * *
U.S. AID

LEHRER: Yes, the ongoing dispute over what and when the CIA told Congress about mining Nicaragua's harbors continued today as it has for many days. Senate Majority Leader Howard Baker held a press conference in Tokyo, Japan, to defend the intelligence agency. He said the CIA briefed the Senate Intelligence Committee three times about the mining operation. Sunday, the Democratic vice chairman of the committee, Daniel Moynihan of New York, resigned from the panel, protesting what he said was the CIA's failure to do so. Baker said committee members may not have been briefed as thoroughly as possible, but they were told. There was a report late this afternoon about an earlier CIA-backed covert action in Nicaragua about which Congress allegedly was also not properly informed. Judy Woodruff takes the story from there. Judy?

WOODRUFF: Jim, last October, storage tanks at the Nicaraguan port of Corinto were destroyed in a sabotage raid, sending some 3.2 million gallons of fuel up in flames. Today, it was reported in Washington that the raid was a CIA operation controlled by American agents based on a ship off the Nicaraguan coast. According to the Associated Press, Congress did not learn of the CIA's involvement until Mar. 30, five months after the raid. This report joins the controversy in progress over the CIA's role in the mining of Nicaragua's ports. The mining has already raise the question, what should the CIA be telling Congress about its covert activities? For more on that, we turn to two CIA veterans; former director William Colby, who headed the agency from 1973 to 1976, and former deputy director Ray Cline, who served in the Kennedy and Johnson administrations. Mr. Cline, we saw in the Associated Press report today that sources, administration sources, said that members of the Senate Intelligence Committee had not been told about this latest sabotage incident, just as they had not been adequately informed about the mining. Should they have been told? RAY CLINE (Former CIA Deputy Director): Uh, my view is that the CIA should tell the oversight committees about the programs to carry out U.S. policies covertly. I don't think it is necessary to brief the congressmen on every detail. It would be impossible to do so.

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WOODRUFF: Well, how, how far do you think they should go? Just how much should they have told them, for example... CLINE: They should tell them they...

WOODRUFF: it was gonna blow, they were gonna blow up a 3-million-gallon tank and... CLINE: I don't know whether they did blow, whether they did, uh, do this. Uh, this is an allegation in the press. Somebody blew it up, and the CIA must've encouraged it if that is, if that story is at all correct. But the point is, CIA, in my experience, always told oversight congressmen, uh, what they wanted to know. There was no concealment or attempt to divert them from what was going to happen. But they can't possibly brief Congress on all the operational details of, uh, paramilitary or psychological warfare actions. So I doubt that there was any attempt to conceal. I think they probably were briefed. I know the congressmen don't always quite pay close attention to some of the briefings, and, uh, it seems to me that, uh, for instance, the statements of Pat Moynihan must be a little exaggerated about the neglect of Congress by the CIA.

WOODRUFF: Mr. Colby, do you agree that it's impossible to brief the members of Congress adequately on every detail of an operation? WILLIAM COLBY (Former CIA director): You can certainly give them a generalized briefing. Uh, Chairman Boland of the House committee says that that committee was thoroughly informed. He has absolutely no question about CIA's openness with them. Now that indicates, then, that the CIA wasn't trying to conceal anything, wasn't holding anything back. In the Senate, they had a hard time arranging the meeting, but in there, and they covered the subject of mining, apparently, in the briefing, but Senator Leahy...

WOODRUFF: But it was one sentence. COLBY: But Senator Leahy picked up that sentence, went back, asked for more data and got it. So there was absolutely no attempt to conceal anything. But when you're talking about a whole lot of things, you obviously hafta give a summary and so that the senators are properly informed, generally, answer any questions that they have and then for them not to be totally surprised if something happens in the future.

WOODRUFF: Well, I guess my question... COLBY: And that apparently happened in this case.

WOODRUFF: I guess my question, then, is should the CIA be bending over backwards to make sure that they have told the members of Congress about every relevant aspect of the operation they're gonna be engaged in? COLBY: Well, I think the record shows that they did. Uh, whether every senator listened to every word is another subject. But the record, as indicated by the senators and by the

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congressmen, is that the CIA was bending over backwards to let them know. But of course, in the course of a long, involved briefing about many, many things, you can't go into vast detail on every single item.

WOODRUFF: Mr. Cline, can you get public support for CIA activities without having, without sacrificing, uh, some, some, some of the strategy? CLINE: I think, I think this is really the issue here. What we're, Washington is so parochial about what Congress can do and what CIA can do, and I think this fight over whether they were briefed in one sentence or two sentences is kind of typical Washingtonitis. The real issue is can this country, uh, run covert operations in the interest of foreign policy, and can CIA carry out those operations with the adequate amount of security about what they're doing? Uh, I'm afraid this episode really shows that despite what has been a pretty good record on oversight in the Congress, uh, we're now in the election season, and bipartisan quarrels are breaking down that system of prebriefing and notification, uh, that was supposed to permit the CIA to proceed.

WOODRUFF: Are you saying that the oversight laws require more disclosure than sh... than is really necessary for the CIA, than, than is possible for the CIA to go about its job? CLINE: I, I, I suspect that they, uh, set up a standard which, if it perfectly carried out to the satisfaction of every congressman, uh, it would mean that, uh, we simply were almost certain to cause a political controversy and will get some of the facts out on the table. So far, uh, the Congress has not done it very often. But this circus that's going on now, uh, is, is, uh, reducing to an absurdity the possibility of carrying out covert action which every president of the United States has always said was necessary.

WOODRUFF: Do you think there's an inherent conflict here?

COLBY: I disagree with that.

WOODRUFF: All right. COLBY: I think that the present system does allow the, uh, the agency to brief the Congress on the various programs and the two committees have shown a great deal of control of the secrecy that has been shared with them. And they, there have been fewer leaks out of the Congress than there have been out of the executive in the past few years. CLINE: That's right. COLBY: There's no question about that. Now, what you run into is real differences of opinion as to the advisability of certain of these things, and there is a real difference of opinion among the committees. Chairman Boland has a very deep conviction that we should not be engaged in paramilitary operations in, uh, Nic... Nicaragua.

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WOODRUFF: Well, what do you do... COLBY: Fair enough.

WOODRUFF: ...in instances like that? COLBY: Well, the law says that the committees have to be brief but the committees do not have to approve. In that case if they are fully briefed, the executive can go ahead. But, the executive needs money. And therefore, we going to have to see next week a vote as to whether they get the money to continue the operation or not.

WOODRUFF: You don't... COLBY: This is the application of the American separation of power and the constitutional system, even to covert operations.

WOODRUFF: You don't have a problem with the law the way it's written? COLBY: If there's agreement on the operation, it'll go through, perfectly, secretly.

WOODRUFF: And... CLINE: And, I would like to see the issue discussed on the basis of the policy and the propriety of the covert action program that's been presented to the Congress; not on the details, the operational details of the program, who was responsible for doing what. Afterall, most of these actions are carried out by Nicaraguans, not by CIA people or Americans, at all. So, it's not necessary for the Congress to have a fight or a debate over how you carry out the programs. They should vote in favor of the policy and keep the sensational classified information out of the public domain.

WOODRUFF: Mr. Colby, is covert action a proper tool of American foreign policy? COLBY: Absolutely, it helped us gain our independence. French covert action gave those colonists over in America some weapons and some money... CLINE: Spoken like a good historian,

WOODRUFF: And how..? CLINE: ...there Bill. I'm proud of you. COLBY: ...with which to fight the British.

WOODRUFF: ...How far should it go? I mean, should we go as far as..? COLBY: It should be carefully used.

WOODRUFF: ...planning the overthrow of another government. COLBY: It should be carefully used. It should be discreetly used. It should be used under our constitutional system. I don't think it should be used as broadly as we think we used it in the 50s. And I don't think anybody's contemplating that today, at all. You have a few operations going, I presume. I'm sure there are a number that we haven't seen anything about in the papers, that everybody agrees with. CLINE: It's certainly been used

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WOODRUFF: Do you think there's been enough...? CLINE:
...in a very limited fashion in recent years.

WOODRUFF: And do you think there's enough latitude now?
CLINE: ...And I think, I'm worried about the fact that
we've got a political, domestic Donneybrook over one of
the first serious covert actions attempted in the last few
years. There is a real problem in Central America.
Everybody admits it. There is a covert warfare program
carried out by Cuba and the Soviet Union in the area.
What are we gonna to do about it? I think covert action's
the right answer and I'm worried about our procedures
which seem to get all hung up on the, on propriety.
COLBY: The United States...

WOODRUFF: Thank you, Mr. Colby and Mr. Cline. And Robin
will be back with you. Robin?

MACNEIL: Congressman Gign, listening to this, do you
agree with Mr. Cline that what he calls the circus over
the Nicaraguan mining is going to make it almost
impossible to carry out covert actions? GINGRICH: I'm
not sure Robin. I think that the fact that is gradually
coming out, that in fact the House was adequately briefed,
and the Senators may have an institutional problem in the
Senate in that senators are very busy, they tend to forget
things, they don't pay as much attention, candidly, I
think, as House members do. And I was very proud that the
chairman of the intelligence committee got up in the House
and said he knew what was going on. They had been
briefed. So, it's clear, as Mr. Solarz said, that there
is a bias in the House against covert actions. But, I'd
come back to the point that Mr. Cline and Mr. Colby made.
The Congress and the presidency have agreed that there is
a problem in Central America. We have to do something
about that problem. The Soviets and the Cubans have a
clear covert operation going on. Unless Mr. Solarz or his
colleagues want to recommend a declaration of war, if
we're not going to behave covertly, what is it we're going
to do that's going to influence Nicaragua? And I will
remind you that both gentlemen from the Central former
Central Intelligence Agents emphasized the fact that we
were legally engaged in a policy which Mr. Solarz and his
colleagues in their letter said, quote, 'we have been and
remain opposed to U.S. support.

MACNEIL: Let me ask Mr. Solarz's view of this. Is the
current flap over the Nicaraguan mining, is it going to
destroy this process of Congressional oversight under the
recent law and make it impossible to carry out covert
action? SOLARZ: I don't think so, Robin. I think, if
anything, it will result in an improvement in the
oversight process. I'm sure the CIA will be even more
careful in the future.

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MACNEIL: Do you agree with your colleague that it's a Senate problem not a House problem? SOLARZ: Institutionally, I think the Senate committee has had a more difficult problem discharging its oversight responsibilities in the committee than the House appears to have had. I think there probably is a consensus in the Congress and in the kind of world in which we live, you can't preclude covert operations, entirely. Some make sense. I think for example, we ought to be providing assistance to the *Majarhardin, the freedom fighters in Afghanistan. But I also believe, as do a majority of my colleagues in the House that the covert operations directed against Nicaragua are counterproductive. They haven't resulted in interdicting the flow of arms from Nicaragua to El Salvador. They've enabled the Sandinistas to legitimize and justify their oppression in Nicaragua. They've produced an intensification of anti-Americanism in the hemisphere and they've even strained our relationships with our allies in Europe and Asia. So, taking all of that into consideration, I think that this is not the way to go in terms of trying to resolve our differences with Nicaragua.

MACNEIL: That's on the policy question. On the system question, again. Mr. Cline, are you saying that if the law were strictly carried out, in detail, and the Congress informed in great detail, that it's inevitably going to create political controversies which will destroy the policy in question? CLINE: I reluctantly, particularly from this last few weeks, have come to the conclusion that the detail is irresistible for Congressmen who want to oppose the policy.

MACNEIL: And the details should therefore be withheld, to some degree? CLINE: A certain amount of operational detail. In the interest of the security of the operation, should be withheld. It really doesn't or ought not to affect the policy decision. You can debate that policy decision in the Congress without saying a word about blowing up oil tanks or mines or anything. Are you going to support the covert plan is the only question the Congress should be asked to rule on.

MACNEIL: What's your reaction to that Congressman Solarz? SOLARZ: Well, I fundamentally disagree with that Robin. I think it would be a mistake, for example, to provide the intelligence committees with the names of secret agents in foreign countries. There's no need for that. Certainly there's a clear distinction between providing arms to the countries on the one hand, who are using those arms primarily against the government of Nicaragua and attempting to mine the ports of Nicaragua, which in effect is an action directed against the ships of Third countries, a number of whom are friends and allies of the

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United States. And I think that when you're getting involved in those different kinds of covert operations where there are fundamental distinctions between the sort of covert activities we're subsidizing...

MACNEIL: You wouldn't trust...? SOLZARZ: ...I think the committees ought to be told.

MACNEIL: You don't think that Congress could trust the CIA not to do things which would embarrass the country in your view? SOLARZ: After the sorry record which we uncovered of CIA activities in the past, I think that we need to have these kinds of briefings in executive and private session. As Bill Colby pointed out a short while ago, if you look at the record, it's quite clear that the great majority of the leaks about these covert activities come not from the Congress but from the Executive branch itself.

MACNEIL: Mr. Colby, what do you think about the amount of detail that should be told? You heard what the Congressman just said. COLBY: All right. I don't think you can draw a hardline between the general policy and the detail. I think when you give a briefing, you have to give a general report, cover as much of it as makes sense to the Congressman or Senator that you're talking to and then count on questions to *illucidate any particular problems that give them concern. But you have to warn him of substantial political, diplomatic problems that may come up, so that if they do come up, he's not really, totally taken by surprise.

MACNEIL: Well, do you think it was the CIA's duty in a case like this to point out, that, well, one of the actions we're going to take is mine some harbors. There may be people, including among our allies, who may claim this is an interference with international trade, or breaking international law, the law of the sea, or whatever. Things like that should be pointed out in detail. COLBY: Well, I think when you say mining a harbor, you're implying that the mines are gonna to go off and some boats will go through that harbor. I don't think you have to go into detail as to exactly which ships are going to be involved. The mining in the harbor, implies that there's gonna be a loud noise in the harbor pretty soon.

MACNEIL: How much detail, Congressman Gingrich, do you think the CIA should tell the Congress? GINGRICH: Well, I think the Cong...the CIA should establish the boundaries that are necessary to be effective and should say to the Congress do you want, is it worth the risk to be effective or not? But Robin, let me point out. You now have

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situation where we're being told by Mr. Solarz, for example, that Congress should micromanage what are in effect, covert operations, which by definition means too much information in Washington. Second, that Congressman have the right to write dictators saying they're opposed to the U.S. policies, and third that those Congressman who are in between micromanagement and opposition, will then point out the policies are failing. Given that cycle is it any wonder that we are a less and less effective nation in the world? And that whehter it's Lebanon or it's Central America that we are in chaos in trying in any sense to be effective in a dangerous world. SOLARZ: Drummond, can I make a point about that? Members of Congress, I suspect, even including Mr. Gingrich, are sending letters to foreign leaders, including Communist dictators all the time. For example, I've sent dozens of letters to Brezhnev, then Andropov, now Chernenko on behalf of Jews in the Soviet Union who want to immigrate but aren't able to do so. We're constantly sending letters protesting this policy or that policy. In so far as our opposition to United States policy, toward Nicaragua, there was nothing that we said in the letter that the Sandinistas weren't aware of. And lastly, I simply cannot believe that my friend from Georgia is criticizing us for sending a letter to the leaders of Nicaragua urging them to agree to hold precisely the kind of free and fair and honest and open elections, which presumably the Reagan administration says it's trying to bring about.

MACNEIL: Uh, uh... If we can forget about the letter for a moment. What about the, what about his charge that you believe that the Congress should micromanage covert activities? Is that what you think? SOLARZ: That isn't my position at all. I don't think that that's practical. But I do think to the extent that the intelligence committees of the House and the Senate have oversight responsibility, are obligated to authorize the funds which the CIA uses for these activities, that they do have a right to know about the fundamental thrust of covert operations in which the agency proposes to engage. I don't think we need to be told every last detail, but as Mr. Colby indicated, I think quite correctly, the agency does have an obligation to let the members of the relevant committees, not the Congress as a whole, know what the political implications are of the various operations which they have proposed to engage in.

MACNEIL: Mr. Cline, are you...? GINGRICH: Robin?

MACNEIL: Yes. GINGRICH: In what sense, then, though, I'd ask Mr. Solarz, in what sense would the House Intelligence Committee has the CIA failed? It seems to me that they, the Central Intelligence Agency told the House

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committee every thing they asked, told them in adequate detail. And that in fact, *Bolin was very honest on Thursday night and said, we've known everything we need to know. So, what's the last week's news story been about if in fact the CIA was doing its job.

MACNEIL: What's your answer to that? SOLARZ: Newt, on that point I entirely agree with you insofar as the House is concerned, but I think you ought to ask the question to your good friend Sen. Goldwater, who's the chairman of the Intelligence Committee in the Senate, who sent a rather blistering letter to the president saying that he was, I suppose this would be bleeped out, but somewhat irritated by the fact that he wasn't adequately informed.

MACNEIL: Well, let's come back to the two gentlemen from the CIA. Mr. Cline, are you so worried about the possibility of carrying out effective covert actions in the future that you think that the law needs to be changed in some way? Or just the way it's used? CLINE: No. I think that Congress should be a little more disciplined in handling the information they get in the briefings. They have had a good record. I see it breaking down over this incidence. That worries me.

MACNEIL: But your colleague, you colleague says most of the leaks have come from the Executive Branch, in the last few weeks. CLINE: Now, we're talking about his incident. And I don't know, I don't think many leaks came in the past, because there haven't been many covert operations. This is a serious covert operation involving the security of the country and our alliance system in Central America. It seems to me we blew it and we ought to ask all of ourselves what we did wrong. And I think that the publicity about it in the Congress is wrong. That it is not possible to have the covert operation succeed in that atmosphere. That's what worries me.

MACNEIL: And you, and what's your view on that particular point Mr. Colby? COLBY: Well, the problem is how you deal with a substantial difference of opinion. And I think you can have a substantial difference of opinion on the desirability of a covert option, operation, but keep it covert. You can have negotiations between the administration and the committee. You can have votes by the committee, oppos...objecting and so forth. But when the difference becomes really, very critical, then sooner or later it's probably gonna spill into the while House and at that point, it's gonna spill into the public.

MACNEIL: We have to leave it there. Congressman Gingrich in Atlanta. Thank you, very much. Mr. Colby and Mr. Cline in Washington, thank you very much. Cong. Solarz in New York.